



DOCKET NO. HRT-0279

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: S. Boyd et al.

Serial No.: 09/982,502

Art Unit: 3738

Filed : October 19, 2001

Examiner: /

For : Devices and Methods for Port-Access Multivessel Coronary Artery Bypass Surgery

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, DC 20231 on

January 8, 2002

(Date of Deposit)

Brian S. Tomko

(Name of applicant, assignee, or Registered Representative)

(Signature)

January 8, 2002

(Date of Signature)

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Commissioner for Patents
Washington, D.C. 20231

SUBMISSION TO CORRECT APPLICATION PAPERS

Dear Sir:

☐ Please find enclosed a Power of Attorney for the application of entitled attorney Docket No. , to complete, pursuant to Rule 51, this application filed on by Express Mail pursuant to Rule 10.

☒ In compliance with 37 CFR 1.84, new drawings are enclosed herewith in response to the Notice to File Corrected Application Papers dated November 20, 2001.

☐ In compliance with 37 CFR 1.52, a substitute specification is enclosed herewith in response to the Notice to File Corrected Application Papers dated . No new material has been added.

☒ As required, a copy of the Notice to File Missing Parts of Application is also attached.

Please charge Johnson & Johnson Deposit Account No. 10-0750/HRT-0279/BST, and the Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Account No. 10-0750/HRT-0279/BST. This sheet is submitted in triplicate.

Respectfully submitted,

BS Tomko

Brian S. Tomko

Reg. No. 41,349

Attorney for Applicant(s)

Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003
(732) 524-1239

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No. HRT-0279

☒ In re application of: S. Boyd et al.

Application No.: 09/982,502

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Group No.: 3738

Filed: 10/18/01

Examiner:

For: Devices and Methods for Port-Access Multivessel Coronary Artery Bypass Surgery

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☐ Patent No.*:

Issued:

**Note: Insert name of inventor(s) and title also for patent. Where notification is with respect to a maintenance fee payment, also insert application number and filing date, and add Box M. Fee to address.*

**Assistant Commissioner for Patents
Washington, D.C. 20231**

NOTIFICATION OF LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS
(37 C.F.R. §1.27(G)(2))

Note: "Notification of loss of entitlement to small entity status is required when issue and maintenance fees are due. Notification of a loss of entitlement to small entity status must be filed in the application or patent prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity as defined in paragraph (a) of this section is no longer appropriate. The notification that small entity status is no longer appropriate must be signed by a party identified in §1.33(b). Payment of a fee in other than the small entity amount is not sufficient notification that small entity status is no longer appropriate." 37 C.F.R. §1.27(g)(2).

Note: From the above portion of 37 C.F.R. §1.27(g)(2), it is only a change in status "resulting in loss of entitlement to small entity status" that must be filed, and a change from one small entity to another small entity status requires no notification.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(A) AND 1.10*
(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

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☒ deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

37 C.F.R. § 1.8(a)

☐ with sufficient postage as first class mail

37 C.F.R. § 1.10*

☐ as "Express Mail Post Office to Addressee"
Mailing Label No. (mandatory)

TRANSMISSION

☐ facsimile transmitted to the Patent and Trademark Office, (703)

Signature

Date: 1/8/02

Brian S. Tomko
(type or print name of person certifying)

**Only the date of filing (§1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under §1.8 continues to be taken into account in determining timeliness. See §1.703(f). Consider "Express Mail Post Office to Addressee" (§1.10) or facsimile transmission (§1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.*

Applicant hereby notifies the Patent and Trademark Office that it is no longer entitled to status as a small entity, and that the assertion for small entity status, set forth

(complete a and/or b as applicable)

- a. ☒ by paying the filing fee as a small entity on 1/19/00 is no longer appropriate
- b. ☐ by the paper filed on _____ (Date)

Note: "The notification that small entity status is no longer appropriate must be signed by a party identified in §1.33(b)." 37 C.F.R. §1.27(g)(2).

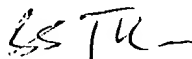
35 C.F.R. §1.33(b):

"(b) Amendments and other papers. Amendments and other papers, except for written assertions pursuant to §1.27(c)(2)(ii) of this part, filed in the application must be signed by:

1. *A registered attorney or agent of record appointed in compliance with §1.34(b);*
2. *A registered attorney or agent not of record who acts in a representative capacity under the provisions of §1.134(a);*
3. *An assignee as provided for under §3.71(b) of this chapter; or*
4. *All of the applicants (§1.41(b)) for patent, unless there is an assignee of the entire interest and such assignee has taken action in the application in accordance with §3.71 of this chapter.*

Date: 1/8/02

Brian S. Tomko
(print or type name of person signing)



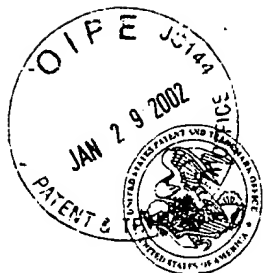
Signature

Registration No: 41,349

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732-524-1239

- ☐ Inventor (s)
- ☐ Assignee(s) of complete interest
- ☒ Person authorized to sign on behalf of assignee
- ☐ Practitioner of record under §34(b)
- ☐ Filed under §34(a)

Customer No: 000027777



UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/982,502	10/19/2001	Stephen W. Boyd	HRT-279

CONFIRMATION NO. 7489

000027777

AUDLEY A. CIAMPORCERO JR.
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FORMALITIES LETTER



OC000000007095866

Date Mailed: 11/20/2001

NOTICE TO FILE CORRECTED APPLICATION PAPERS

COPY OF PAPERS
ORIGINALLY FILED

Filing Date Granted

This application has been accorded an Application Number and Filing Date. The application, however, is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given **TWO MONTHS** from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a)

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

*A copy of this notice **MUST** be returned with the reply.*

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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

2002-11-20 11:20:01